



Welcome to this edition of *Hospital Happenings*, a newsletter published by the North Dakota Department of Health, Division of Health Facilities. *Hospital Happenings* is designed to help hospitals stay up-to-date on various issues. Please share with your staff.

## Inside this issue

The Power Is Out	1
New Survey and Certification Letters	1, 2

*Summer  
2010*



*"Ah, summer. What power  
you have to make us  
suffer and like it."  
- Russel Baker*

## THE POWER IS OUT

By *Becky Humann, RN BSN MSN*



The power is out. The emergency generator is running. The storm is forecasted to last several hours. We live in North Dakota. The power outage could be due to a thunderstorm, blizzard, ice storm, flooding, tornadoes, or excessive winds causing downed power lines. Whatever the reason, is your facility prepared to continue to meet the needs of your patients?

You need to relocate your patients to a safe facility elsewhere in North Dakota. Your facility utilizes only electronic medical records (EMR). How will you communicate/inform the receiving facility of each patient's individualized needs; specifically, medications, allergies and plan of care? It is recommended for facilities that utilize EMRs to have a "hard" copy of each patient's current list of medications, care plan and physician orders available to send to the receiving facility or to use at their own facility if they are unable to access the patients EMRs.

As facilities move towards implementation of EMRs, it is important to implement plans to ensure the continuity of patient care in the event of a short or prolonged power outage.

## NEW SURVEY AND CERTIFICATION LETTERS

The Centers for Medicare and Medicaid Services (CMS) transmits memoranda, guidance, clarifications and instructions to state survey agencies and CMS regional offices through use of survey and certification (S&C) letters. Below is a list of the new S&C letters affecting hospitals since Sept. 11, 2009. The S&C letters are available at

[www.cms.hhs.gov/SurveyCertificationGenInfo/PMSR/list.asp#TopOfPage](http://www.cms.hhs.gov/SurveyCertificationGenInfo/PMSR/list.asp#TopOfPage).

- **S&C 09-57** Obtaining Civil Rights Clearances for Initial Certifications and Change of Ownerships. Sept. 11, 2009

The purpose of this letter is to remind state survey agencies of their role in the Office for Civil Rights clearance process.

- **S&C 10-01** State Survey Agency (SSA) Treatment of Subpoenas Duces Tecum for Federal and Joint Federal/State Documents. Oct. 2, 2009

This memorandum provides guidance for the handling of subpoenas duces tecum that seek disclosure of records in the possession of the SSA as a result of the SSA's implementation of its Agreement with the Secretary of Health and Human Services under Section 1864 of the Social Security Act.

- **S&C 10-02** H1N1 Flu Vaccinations or Other Emergency Activities. Oct. 16, 2009

This memo provides information that CMS will work with the SSAs, on a case-by-case basis, to adjust work schedules, and other survey and certification

*(Continued on page 2)*



(Continued from page 1)

actions if state emergency response authorities determine that they must deploy surveyors to administer vaccinations and the state has determined no alternative strategies are available.

- **S&C 10-04** Waiver To Allow Hospitals To Use the National Fire Protection Association (NFPA) Six-Year Damper Testing Interval. Oct. 30, 2009

This memorandum permits hospitals to apply the NFPA six-year testing interval for fire and smoke dampers in hospital heating and ventilating systems, as long as the hospital's testing system conforms to the testing requirements under the 2007 edition of NFPA 80 and NFPA 105.

- **S&C 10-05** EMTALA Regulation Changes and H1N1 Pandemic Flu and EMTALA Waivers. Oct. 6, 2009

The Fiscal Year 2010 Inpatient Prospective Payment System final rule included technical revisions concerning the non-applicability of EMTALA sanctions under Section 1135(b)(3) of the Social Security Act. During a public health emergency, waivers under section 1135(b)(3) can provide exceptions to penalties for the otherwise impermissible redirection or relocation of individuals for a medical screening examination and for inappropriate transfers.

- **S&C 10-06** Presidential Emergency Declaration and HHS Section 1135 Waiver Authorization. Nov. 6, 2009

Secretary Sebelius exercised her waiver authority under section 1135 of the Social Security Act, effective Oct. 23, 2009. The Secretary has delegated to CMS the determination for a waiver for each case justified by necessity and extent (other than for the Health Insurance Portability and Accountability Act [HIPAA] waivers permitted under section 1135).

- **S&C 10-09** Revised Hospital Anesthesia Services Interpretive Guidelines State Operations Manual Appendix A. Dec. 11, 2009

CMS is clarifying the interpretive guidelines concerning the provision of anesthesia services in a hospital.

- **S&C 10-10** Critical Access Hospital (CAH) Regulatory Changes. Dec. 31, 2009

On July 31, 2009, CMS issued the final fiscal year 2010 Inpatient Prospective Payment System rule, effective Oct. 1, 2009. The final rule included two changes affecting CAHs.

- **S&C 10-14** Guidance to Surveyors Regarding the STERIS SYSTEM 1 Sterile Processing System (SS1). Apr. 2, 2010

On Dec. 3, 2009, the FDA issued a Notice and Recommendations regarding the SS1. In this notice, the FDA reported that modifications by the manufacturer to the SS1 system have not been approved or cleared. For that reason, the FDA has not determined whether the SS1 is safe or effective for its labeled claims. The FDA has urged health-care facilities to find acceptable alternatives to the SS1 to meet their sterilization and disinfection needs.

- **S&C 10-18** Revision of SC-04-41, Corridor Widths and Corridor Mounted Computer Touch Screens in Facilities. May 14, 2010

This memorandum updates and revises information first conveyed in Survey and Certification letter 04-41, issued on Aug. 12, 2004 by CMS that provided guidance on corridor-width requirements associated with the installation of wall-mounted computer touch screens in health-care facilities.



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